

**Testimony on HB 5698 & HB 5701 by Mary Lovik, Staff Attorney to
Michigan Domestic Violence Prevention & Treatment Board
March 15, 2006**

Good afternoon. Thank you for the opportunity to testify today. My name is Mary Lovik, and I am an attorney on the staff of the Michigan Domestic Violence Prevention & Treatment Board (MDVPTB). The Board is a legislatively-created body of seven members appointed by the Governor with the advice and consent of the Senate. The Board is served by staff members such as myself, who are administratively housed within the Department of Human Services. The Board's responsibilities include administering federal funding to private non-profit organizations that provide emergency shelter and other non-residential services to victims of domestic violence and their children. The Legislature has also given the Board the task of providing technical assistance to the Governor and the Legislature on domestic violence law and policy.

The Board has not considered the package of bills before this committee today, but it did offer its comments on bills similar to HB 5701 and 5698 that were introduced in the House of Representatives last session. The Board's past comments raised 4 concerns relevant to the bills before this committee today:

- HB 5701 does not provide for an emergency hearing prior to filing a parenting plan in cases where there is a threat of child abduction.
- HB 5701 makes parenting plans mandatory, not optional. Like all types of cooperative dispute resolution including mediation and joint settlement conferences, required parenting planning is generally impossible in cases where a domestic violence perpetrator exercises power and control over an intimate partners. If parenting plans were optional, parties for whom it was unworkable could self-select out of the system, conserving both party and court resources that would otherwise be used to determine who must and must not file a mandatory parenting plan
- The Board appreciates the fact the domestic violence victims are not required to participate in divorce effects education programs under HB 5698, but would advocate that domestic violence and its effects on parents and children be included as a component of the required curriculum for such programs.
- The definition of domestic violence in HB 5698 should be incorporated into HB 5701, to maintain consistency.

In closing, I observe that there are many new aspects of HB 5701 that the Board has not considered because they were not present in the bills the Board considered last session. Accordingly, I anticipate that the Board may have further comment on these bills at a later time.

Thank you for this opportunity to address the Board's concerns with the committee.